

# DASHED A BOY'S HEAD THROUGH A WINDOW.

Blasius Allgaier, a Brooklyn Merchant, Accused of a Brutal Assault.

Eddie Hertell Suffering from Injuries That It Is Believed Will Cause His Death.

SAYS HE WAS POUNDED AND KICKED.

Allgaier Denies That He Injured the Boy, Who He Thought Was Trying to Steal a Pair of Shoes.

Little Eddie Hertell, eight years old, lies on a bed of agony at the humble home of his sister, Mrs. Lewis Greiss, No. 22 Thompson street, Brooklyn, E. D. It is believed he is injured internally, and that he will die. He charges Blasius Allgaier, a wealthy shoe merchant, of No. 714 Broadway, with having beaten and kicked him, and with having thrown him headfirst through a door of plate glass.

There are several gashes on the lad's head, made by the jagged edges of the broken glass, and the wonder is that he was not instantly killed.

Young Hertell's story is corroborated by two older boys, who claim to have witnessed the assault. They are Edward Rauch and John Hornberger, both about thirteen years old.

Mr. Allgaier, who is sixty-four years old, and owns much valuable real estate in Brooklyn, denies the boy's story, and declares that the boy ran his head through the glass while trying to escape from the store after having been captured in the act of stealing a pair of shoes. He insists that he did not touch the lad.

BOY'S ANTE-MORTEM STATEMENT.

In his ante-mortem statement, taken yesterday afternoon, by Coroner Nason, young Hertell told substantially the following story:

"Just after 12 o'clock noon, a week ago last Tuesday, I was passing Allgaier's store on my way home from the butcher's with some meat. There were some shoes hanging in front of the store on nails or hooks, and as I went by I swung some of the shoes with my hand. One pair fell to the sidewalk, and Mr. Allgaier's son ran out and, grabbing me by the collar, dragged me into the store. Then the son went for a policeman, leaving me alone with the old man. As soon as the son had gone the old man pounced upon me, beat me with his fists all over my body, and threw me on the floor. Then he kicked me several times in the stomach.

"He acted crazy, and I screamed as hard as I could. That seemed to make him still more fierce, for he picked me up in his arms and threw me against the front doors, which are made of glass in the upper part. My head struck the glass of one door and I was taken before Justice Goetting, of the Lee Avenue Police Court, by whom he was discharged.

It seems that the screams of the boy and the crash of glass attracted a great crowd to Allgaier's store. Those who arrived first saw Allgaier holding his bleeding boy by the collar and even then shaking him violently. Many persons in the crowd thought the boy would be killed, and there were threats of handling the old man roughly if he did not release the lad. Then a policeman came and took the boy to Miller's drug store, where the wounds in his head were dressed. Allgaier made a charge of attempted larceny against the boy, and he was taken before Justice Goetting, of the Lee Avenue Police Court, by whom he was discharged.

ALLGAIER IS ARRESTED.

Mrs. Greiss then made a charge of atrocious assault against Allgaier, and he was arrested in the court room. He waived examination and was paroled until to-day, when the case will be heard in the Lee Avenue Court.

Little Eddie has been confined to his couch since he was injured, and suffers excruciating pain in his stomach and intestines. He is delirious at times, and occasionally in the night wakes up screaming: "Don't! Don't! Please don't!"

The little fellow cannot retain food, and the effort to do so causes him to suffer intensely. He lies on his couch moaning with pain and with his eyes rolling in a way that indicates a most serious condition. His sister became alarmed on Saturday and notified the authorities. As a result the Coroner was sent to take the lad's ante-mortem statement.

Young Hertell has no mother. His father, Adam Hertell, is old and infirm, and both live with the old man's married daughter. Eddie is said to be a bright scholar. He is a constant attendant at a Sunday-school in Throop avenue.

He was propped up with pillows yesterday, and was being amused by some of his chums, including the two boys who claim to have witnessed the assault. He was very pale and there were dark rings under his eyes. He has not had medical treatment, the sister being too poor to employ a physician.

DENIES THE CHARGE OF THEFT.

Eddie repeated his story in detail to his visitors. He said it was not true that he was trying to steal Allgaier's shoes. He merely swung them playfully, as they swung outside the store, and when they dropped to the ground he would have picked them up and returned them to the hook if the younger Allgaier had given him time to do so. But he was dragged into the store like a fish.

The two chums of young Hertell, who have been very devoted to their attentions to their friend since he received his injuries, and were with him yesterday, will testify against Allgaier to-day. They are both bright boys. They belong to respectable families, and have a good reputation in the neighborhood. They go to school regularly, and hold merit marks for proficiency in their studies. Edwin Rauch, who is some years older than Eddie Hertell, says that he was with his friend on the day of the alleged assault.

STORY OF A YOUNG FRIEND.

"Eddie went to the butcher shop," he said yesterday, "and I waited on the sidewalk in front of Allgaier's shoe store for him to come back. I was directly in front of the store when Eddie came along and absent-mindedly gave a swing to a pair of shoes. The shoes fell down, and he stooped to pick them up, when young Mr. Allgaier came out and grabbed him by the collar. He was dragged into the store before I hardly knew what was happening. After young Mr. Allgaier came out and went up the street for a policeman I went and looked through the glass door. I saw old



Eddie Hertell

## CONSTANT WATCH ON DEVER'S JURY.

Extraordinary Police Precautions Against Their Being Approached.

They Spent Sunday Under a Surveillance Like That of Convicted Felons.

Even the Toilet Soap Used by Them Was Prodded with Needles for Possible Notes.

FRIENDS COULD NOT SEE THEM.

A Drive in the Park Accompanied by Officers Served to Relieve the Monotony of Their Sabbath.

The members of the jury selected to decide the innocence or guilt of Police Captain Devery passed a miserable Sunday yesterday. They were guarded like criminals at their apartments at the Broadway Central Hotel. No prisoner under a death sentence was ever more closely watched.

It is customary to guard members of a jury from any possibility of being approached, but never before has such unusual precaution been adopted. Even the soap that the twelve unfortunates use is examined, and needles run through each cake to make assurance doubly sure that no note is concealed.

The chambermaid who makes up the beds has an officer standing beside her, and if by any chance a stray guest at the hotel happens to stroll toward the Mercer street side of the fifth floor, he is stopped before he reaches the cross corridor.

The entire Mercer street side of the fifth floor of the hotel is set apart for their accommodation. There are twenty rooms in all, in which the twelve men and six officers passed their time, with the exception of a couple of hours in the afternoon, when they were taken in four open carriages for a spin through Central Park. There were three jurors in each carriage. The fourth individual was an officer, who had instructions to place under arrest and hand over to the first policeman any one who made an attempt to converse with the occupants of the carriages.

The early hours of the day were passed in reading the morning papers, after each copy had been carefully examined and all allusions to the Devery trial cut out. Then there was, until luncheon time, an exchange of papers and comments on the news of the day.

As the jury passed out of their private dining room a kiten belonging to a guest of the house showed a desire to make acquaintance with them. One of the younger members picked it up and for an hour or two that stray kitten was an honored guest. Captain Lynch, who has charge of the officers guarding the jury, decided that the kitten was exempt from his instructions, as it was not a "being," and there was no danger of it attempting to affect the opinions of the twelve good and true men.

During the morning several women called at the hotel and sent their cards up. They were relatives of the jurors, but they were informed that each member was allowed to see only one person, and that person must be his wife. Even then the conversation must be in the presence of an officer and another juror. The wives of three called yesterday.

On their return from their carriage drive yesterday afternoon one of the jurors met a friend at the ladies' entrance of the hotel and stopped to shake hands with him. An officer was beside him in an instant.

"How do you like jury duty?" asked the friend.

The juror smiled a sad, long smile. "It's all right, but I'll tell you, it's not what it's cracked up to be."

Evidence in the Devery trial will be begun to-day.

ALCOHOL CAUSED HIM DEATH.

William Nelson Was Found in the Street and Died in the Station.

William Nelson, a plumber, thirty-one years old, who gave his address as No. 231 Canal street, died of alcoholism in the Hudson Street Police Station, early yesterday morning.

Policeman George E. Jones found Nelson lying in the gutter at Broadway and Murray street, late Saturday night, and took him to the station house. Nelson was barely able to give his name and address to the sergeant.

Two hours after he had been put into a cell the doorman tried to rouse him, but failed, and an ambulance call was sent to the Hudson Street Hospital. Before the surgeon arrived Nelson was dead. An autopsy showed that death had been caused by alcohol. No one knew Nelson at No. 231 Canal street.



The Broken Window

## EDDIE HERTELL, WHO WAS BEATEN AND HIS HEAD DASHED THROUGH A WINDOW.

Blasius Allgaier, a merchant on Broadway, Brooklyn, has been arrested on the charge of beating and kicking Eddie Hertell, and then throwing him partly through a thick plate glass window. The merchant denies that he injured the child, and claims the lad ran his head against the window. The merchant's son, Anthony Allgaier, thought he saw young Hertell trying to steal a pair of shoes from in front of the store. He took the boy into the store and left him with his father while he went for a policeman. According to young Hertell's story, Mr. Allgaier attacked him with the fury of a maniac, beating him and kicking him, and ending up by hurling him against the window. The boy is confined to his bed, and may die. His story is corroborated by two other boys who were with him, John Hornberger and Edwin Rauch. The boy's old father, Adam Hertell, declares he will have revenge if his son dies.

## BICYCLE SQUAD'S BIG DAY.

Policemen on Wheels Kept Busy in Arresting Scorchers and Fast and Careless Drivers.

Members of the Police Bicycle Squad, who patrol Eighth avenue and the Western Boulevard, gave abundant proof of their efficiency and activity yesterday. Nearly every policeman on the squad brought repentant culprits to the Yorkville Court. The majority of the prisoners were violators of the law against fast driving. Some had driven horses and some had ridden wheels. Three-dollar fines were collected by the dozen. One energetic bicycle patrolman accomplished the amazing feat of capturing four Columbia College students, who were "scorching" on the Boulevard, although, of course, many others were caught. Those arrested were William Matthews, of No. 132 West One Hundred and Fourth street; Thomas White, of No. 78 West Ninety-fourth street; Clifford H. Pepper, of No. 513 West End Avenue, and Lewis H. Fraser, of No. 335 West Eighty-sixth street.

A messenger boy named John Black, of No. 216 West Sixty-fourth street, was greatly surprised at being overhauled while speeding his wheel by one of the officers of the squad. He argued that his occupation exempted him from the operation of the law against scorching, but the excuse was not accepted. Charles Young, of No. 224 West One Hundred and Twelfth street, was arrested on the Boulevard for speeding his horse at a "dead heat" pace. As rapidly as he drove he could not escape the pursuing bicycle patrolman.

Thomas Cook, a coachman for Beverly Ward, of No. 35 West Sixty-eighth street, was arrested for driving so carelessly as to knock down a twelve-year-old boy named Albert Loeffler, of No. 636 Madison Avenue. Although the boy was not injured, he had a very narrow escape, and when the coachman whipped up his horses and attempted to get away from the neighborhood, a bicycle patrolman was indignant and pursued him with the above mentioned result. There was no complaint against him and he was discharged.

## SCHOOL TEACHER'S MISHAP.

Miss Agnes Demond Sprained Her Ankle on Lower Broadway.

An ambulance was summoned to the corner of Broadway and Park place yesterday afternoon, where Surgeon Johnson found Miss Agnes Demond, thirty-five years old, a teacher, living at No. 173 Madison street, Brooklyn, sitting on a chair and unable to stand.

The woman had turned her ankle while stepping over the gutter on her way to the place "A." The surgeon said that the ankle was sprained and that possibly there was a "Pott's" fracture.

As Miss Demond refused to go to Hudson Street Hospital, she was taken to the Bridge entrance in the ambulance and transferred to a cab, from where a male friend took her home.

## DEATH IN GHOSTLY CURRENCY.

Richard Graham was the name given in the Centre Street Police Court yesterday by a sleek, well-dressed young man charged with swindling Frederick Klein, out of 120 marks (\$24), by giving him in exchange a \$50 Confederate bill. Klein arrived from Germany last Thursday and he said he met Graham on Greenwich street, a few days ago. He was not in the Centre Street Station, captured Graham in Stone street. Klein pointed him out and positively identified him. Graham was held in \$500 bail for trial. A saloon keeper in Water street supplied the bond.

## SAD FALL OF A REFORMER.

Frank Mitchell, Who Has Been Active in Parkhurst Society Work, Arrested.

Fined \$5 in Essex Market Court for Being Drunk and Disorderly.

SAID TO HAVE BOASTED OF A PULL.

His Convivial Tendency Displayed Itself on Saturday Evening and Saloon Keepers, Who Don't Like Him, Aided It Along by "Treats."

Frank A. Mitchell, one of the best known reformers of the East Side, and who, as president of the local branch of the City Vigilance League, of the Twelfth Police Precinct, has taken an active part in keeping a close eye on the police to see that they enforced the Excise law, was a prisoner in the Essex Market Court yesterday on the charge of being drunk and disorderly. Arraigned with him was William Story, his close personal friend, who was also a prisoner on the same charge.

Mitchell, when questioned by Magistrate Brann, acknowledged that he had been drunk as charged by Policeman Richard Bell, of the Eldridge Street Station. Both men were fined \$5 a piece, which they paid.

Mitchell is the lessee and manager of the Hatfield House, a cheap lodging place at Nos. 46 and 48 Ridge street. It is connected with the Ridge Street Presbyterian Church and the revenues derived from the lodging house above a certain sum are applied to the support of the church.

As an officer of the City Vigilance League Mitchell has made a number of complaints against saloon keepers and has been especially active in reporting the policemen of the Delancey Street Station for winking at excise violations. He has also taken an active part in the election district in which he lives in the work of preventing ballot frauds and has assisted Superintendent Dennett, of the Society for the Prevention of Crime, in detective work on the East Side.

Policeman Bell told Magistrate Brann that Mitchell and Story had indulged in a wild time on the East Side Saturday night.

Mitchell is well known to the keepers of many of the saloons he and his friend visited, and they were so overjoyed at his newly assumed role that their frequent "treatings" may explain his subsequent actions.

About 5 o'clock yesterday morning Mitchell and Story were engaged in an animated argument at the corner of Grand and Forsythe streets.

KNOCKED HIS FRIEND DOWN.

Policeman Bell listened to the argument for awhile and declared that he heard Mitchell use unprintable language to his companion, suddenly following up his abuse with a blow which knocked Mr. Story to the pavement. The policeman then made the arrests. Mitchell objected to being ar-



John Hornberger

Eddie's chums who saw the assault

Edwin Rauch

Adam Hertell

Blasius Allgaier

Anthony Allgaier

## SPRING IS HERE TO STAY.

At Least That Is the Official Announcement of Weather Forecaster Dunn.

Incidentally He Disputes the Old Almanac Theory of Equinoctial Storms.

WORLD MOVES AND SEASONS CHANGE.

Altogether Things Are Getting Considerably Mixed These End-of-the-Century Days, but We'll Have Flowers Soon and Birds Will Sing.

When the hurricane that swept over the city at a lively gait last week had partially subsided, Forecaster Dunn, of the Weather Bureau, announced that Spring was here at last, and the official reports in the Weather Bureau showed that warmer weather prevailed in the Upper Lake regions, and from the Mississippi to the Atlantic, with the exception of the New England, and the part of the Middle Atlantic States where it was still cold.

The readers of almanacs in the country towns, and on the farms over which the storm passed on its way to the metropolis, did not have to wait for the announcement of the arrival of Spring to be made from the tall tower on the Manhattan Life building. They knew that Spring arrived Thursday night, and that the elementary disturbance was the usual equinoctial storm that always ushers Spring in. Forecaster Dunn does not believe in almanacs or in equinoctial storms.

"The mere crossing of the equator by the sun has no more effect on the weather than when it crosses any other parallel of latitude," said he, "and I have never yet discovered any one who could in a reasonable way explain why there should be an equinoctial storm. The old theory that the sun sprang a leak when it reached the equator and turned on a big storm is absurd."

"During the changes in the seasons there is always a succession of high winds, but this is caused by the alteration in the temperature due to the advance of the sun toward the north, and no one has ever been able to prove that a storm started anywhere at the same moment that the sun is crossing the line."

For several years past there has been a gradual change in the manner of approach of the seasons. In former years in Winter it was cold and in Spring the weather was moderate, and remained moderate. Now the weather is so changeable that Forecaster Dunn says he will not be surprised if in the future there will practically be only two seasons—a cold one and a warm one.

As the powers of the weather prophets in the tall tower are limited to thirty-six hours ahead, Forecaster Dunn is unable to prophesy whether the Summer will be unusually warm or only moderately so.

Though there may be more cold weather Spring is here to stay, he says, until driven away by Summer.

## SMALLPOX IN THE CITY.

A Woman Suffering from the Disease Appears in the Health Board Rooms.

There is a case of smallpox in the city. The health authorities admit this, but decline to say who the woman is that has the disease.

She went into the Criminal Courts building yesterday afternoon and found her way to the Board of Health rooms. She said she was ill and believed she had the smallpox.

Dr. C. S. Benedict, chief of the Bureau of Contagious Diseases, was called from his home and examined the woman. Dr. Benedict, when asked about the case, said: "I cannot say a word about it further than that we have a case of smallpox under observation. Where the case came from or who it is I cannot say. I have no authority to talk."

President Wilson, of the Board of Health, last night said:

"All I know is that we have a case of smallpox in the city. This is no news. I will make a statement about the case tomorrow."

This is the first case of smallpox in the city since last April.

## A QUESTION OF VERACITY.

Magistrate Crane Will To-day Decide Whether Doyle or O'Callahan Tells the Truth.

John Doyle, twenty-eight years old, of No. 447 West Fourth street, was charged with attempted highway robbery by Timothy O'Callahan, of No. 673 Eighth avenue, in Jefferson Market Court yesterday.

O'Callahan told Magistrate Crane that he had left several of his friends at Ninth corner of Forty-second street and Ninth avenue at 11 o'clock Saturday night, and that while he was on his way toward that place he met Doyle and another man. Doyle seized him by the throat and tried to wrench his watch and chain from his vest. He seized Doyle, and when Policeman Wenham came he caused Doyle's arrest. He had no witnesses to the assault.

Doyle said that he was on his way home when he was seized by O'Callahan under the slightest provocation. He denied that he had either assaulted O'Callahan or had tried to rob him, and said that he could bring a witness to court to-day to prove the truth of his story.

Magistrate Crane adjourned the case until this afternoon.

## M'GOLDRICK'S LITTLE JOKE.

Kept His Saloon Open, Didn't Sell Any thing, but the Police Acted.

James R. McGoldrick keeps a saloon at the northeast corner of Seventh avenue and Thirty-second street, and has been a source of annoyance to the police of the West Thirtieth Street Station by keeping open at all hours and on Sundays. Early yesterday morning McGoldrick's bartender was arrested.

When the bartender got to the store McGoldrick ordered him to open up the saloon. He had covered the bar with a sign which read: "No intoxicating drinks sold here."

A policeman reported the matter to the station house, and two officers were sent to the saloon to see that no business was done. McGoldrick kept the doors wide open all day, and a large crowd was attracted to the place, but McGoldrick refused to sell even a cigar. But the bartender was taken in on general principles.